

**REMARKS**

Claims 1-74 were pending in the present application. The Examiner rejected Claims 1, 2, 4-6, 9-27, 29-51, 55-59 and 61-74. Claims 3, 7, 28, 52-54 and 60 have been amended. Claims 3, 7, 8, 28, 52-54 and 60 are once again presented and considered to be in condition for allowance.

In light of the remarks provided below, reconsideration of the application and allowance of all claims as currently presented is respectfully requested.

**§102 Rejections of Claims 1-5, 9-18, 23, 29-31, 33-40, 42, 44-50, 55, 61-63, and 65-74**

The Examiner has rejected Claims 1-5, 9-18, 23, 29-31, 33-40, 42, 44-50, 55, 61-63, and 65-74 as being anticipated by Agre (pat. no. 5,978,679). Applicants have canceled without prejudice each of these rejected claims, except for Claim 3. Accordingly, applicant's contend that the Examiner's rejections of these claims are now moot.

With regard to Claim 3, the Examiner has provided no reason for the rejection and has instead admitted to a patentable distinction between Claim 3 and the prior art. In addition, the Examiner previously indicated that Claim 3 would be allowable if amended to recite the limitations of the base claims from which it depended. Applicants have so amended Claim 3. Accordingly, Applicants respectfully request that the Examiner now withdraw the rejection of Claim 3 as amended.

**§103 Rejection of Claims 6, 19, 24-27, 32, 41, 51, 57-59, 61, and 64**

Applicants have cancelled each of the claims rejected by the Examiner under 35 U.S.C. §103. Accordingly, Applicants respectfully submit that the Examiner rejections of these claims are now moot.

It should be noted that the examiner has mentioned Claims 20-22 and 52-54 in the third line of paragraph 6 on page 6 of the Official Action mailed on 9/27/01. However, there is no statement indicating that these claims are rejected under 35 U.S.C §103 or any statement that would justify the rejection of these claims. Furthermore, the Examiner indicated in form PTO-326 that Claims 52-54 were objected to and not rejected. It is noted that the Examiner did indicate that Claims 20-22 were rejected in form PTO-326. It is also noted that the Examiner has not included these Claims in the discussion provided in the section of the Official Action

with the heading "*Allowable Subject Matter*". Nonetheless, due to the absence of any justification for the rejection of these claims, Applicant contends that Claims 20-22 and 52-54 should be allowable if rewritten to include each of the limitations of the independent claims and the interceding claims from which these claims depend. Accordingly, Applicants have amended these claims to so include these limitations and Applicants respectfully traverse any rejections and objections to these claims in light of the amendments made herein.

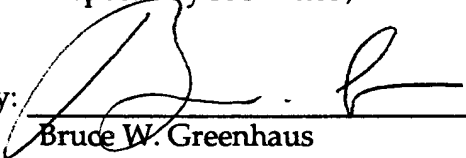
**Allowable Subject Matter**

The Examiner has expressly indicated that Claims 7, 8, 28, 43, and 60 would be allowable if amended to include each of the limitations presented in the base claims. Applicants have amended these claims as requested. It should be noted that Claim 8 depends from Claim 7. Therefore, it is not necessary to amend Claim 8.

In light of the foregoing, the Examiner's reconsideration of this application with a view toward allowance is respectfully requested. In the alternative, Applicants contend that the comments and amendments provided herein place the application in better condition for appeal. Therefore, Applicants respectfully request that the present response be entered. The Examiner is invited to call the undersigned agent if a telephone call could help solve any remaining items.

Dated: July 1, 2002

Respectfully submitted,

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09/409,947

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please cancel Claims 1, 2, 4-6, 9-19, 23-27, 29-51, 55-59, and 61-74 without prejudice.

Please amend Claims 3, 7, 20-22, 28, 52-54, and 60 as follows:

3. (Amended) A method [according to claim 2] used in a mobile wireless telecommunications system that includes base stations of a first type operating over a first air interface and base stations of a second type operating over a second air interface, the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, wherein the first and second air interfaces are distinct such that one is a TDMA air interface and the other is a CDMA air interface, the method comprising:

- (e) receiving signals over the second air interface from the second base station;
- (f) evaluating a characteristic of the signals;
- (g) responsive to the characteristic, selecting the second base station in place of the first base station; and
- (h) camping on a cell associated with the second base station,

wherein evaluating the characteristic comprises applying a CDMA path loss criterion to the signals.

7. (Amended) A method [according to claim 6,] used in a mobile wireless telecommunications system that includes base stations of a first type operating over a first air interface and base stations of a second type operating over a second air interface, the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, the method comprising:

- (a) receiving signals over the second air interface from the second base station;
- (b) evaluating a characteristic of the signals;
- (c) responsive to the characteristic, selecting the second base station in place of the first base station; and

(d) camping on a cell associated with the second base station,

wherein selecting the second base station in place of the first base station comprises using a single radio resource management protocol layer in the mobile station supporting both GSM/TDMA and CDMA operating modes and the radio resource management protocol layer comprises parallel GSM and CDMA protocol sublayers and a combiner sublayer which selects either the GSM or the CDMA operation mode.

20. (Amended) A method [according to claim 19,] used in a mobile wireless telecommunications system that includes base stations of a first type operating over a first air interface and base stations of a second type operating over a second air interface, the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, the method comprising:

(a) receiving signals over the second air interface from the second base station;

(b) evaluating a characteristic of the signals;

(c) responsive to the characteristic, selecting the second base station in place of the first base station; and

(d) camping on a cell associated with the second base station,

wherein receiving the signals comprises regulating energy expended by the mobile station in receiving the signals responsive to a desired level of energy consumption by the mobile station and wherein regulating the energy expended comprises setting a sampling rate at which to receive the signals responsive to the desired level of energy consumption.

21. (Amended) A method [according to claim 19,] used in a mobile wireless telecommunications system that includes base stations of a first type operating over a first air interface and base stations of a second type operating over a second air interface, the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, the method comprising:

(a) receiving signals over the second air interface from the second base station;

(b) evaluating a characteristic of the signals;

(c) responsive to the characteristic, selecting the second base station in place of the first base station; and

(d) camping on a cell associated with the second base station,

wherein receiving the signals comprises regulating energy expended by the mobile station in receiving the signals responsive to a desired level of energy consumption by the mobile station and wherein regulating the energy expended comprises choosing a number of the base stations of the second type from which to receive the signals responsive to the desired level of energy consumption.

22. (Amended) A method [according to claim 19,] used in a mobile wireless telecommunications system that includes base stations of a first type operating over a first air interface and base stations of a second type operating over a second air interface, the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, the method comprising:

(a) receiving signals over the second air interface from the second base station;

(b) evaluating a characteristic of the signals;

(c) responsive to the characteristic, selecting the second base station in place of the first base station; and

(d) camping on a cell associated with the second base station,

wherein receiving the signals comprises regulating energy expended by the mobile station in receiving the signals responsive to a desired level of energy consumption by the mobile station and wherein regulating the energy expended further comprises regulating the availability of the mobile station to receive the signals responsive to a desired level of quality of service provided by the mobile station.

28. (Amended) A method [according to claim 23] used in a mobile wireless telecommunications system that includes base stations of a first type operating over a first air interface and base stations of a second type operating over a second air interface, the method performed by a mobile station camped on a cell associated with a first base station of the first type, the method for reselection of a second base station of the second type, comprising:

- (a) receiving signals over the second air interface from the second base station;
- (b) evaluating a characteristic of the signals;
- (c) responsive to the characteristic, selecting the second base station in place of the first base station; and
- (d) camping on a cell associated with the second base station,

wherein evaluating the characteristic comprises comparing the signals received from the second base station to signals received over the first air interface from the first base station and applying reselection criteria to the received signals so as to determine whether to select the second base station and wherein applying the criteria comprises applying a predetermined hysteresis factor so as to prevent recurrent reselection of the air interface.

52. (Amended) A mobile station [according to claim 51,] for use in a mobile wireless telecommunications system that includes a first cell associated with a first air interface and a second cell associated with a second air interface, the mobile station, comprising:

- (a) at least one radio transceiver, which receives signals from the first and second cells over the first and second air interfaces, respectively; and
- (b) control circuitry that processes the signal received from the second cell while the mobile station is camped in idle mode on the first cell and that evaluates the second signal and, responsive thereto, directs the mobile station to reselect and camp on the second cell,

wherein the control circuitry is programmed to regulate energy expended by the mobile station in receiving the signals responsive to a desired level of energy consumption by the mobile station, and

wherein the control circuitry sets a sampling rate at which to receive the signals responsive to the desired level of energy consumption.

53. (Amended) A mobile station [according to claim 51,] for use in a mobile wireless telecommunications system that includes a first cell associated with a first air interface and a second cell associated with a second air interface, the mobile station, comprising:

- (a) at least one radio transceiver, which receives signals from the first and second cells over the first and second air interfaces, respectively; and

(b) control circuitry that processes the signal received from the second cell while the mobile station is camped in idle mode on the first cell and that evaluates the second signal and, responsive thereto, directs the mobile station to reselect and camp on the second cell,

wherein the control circuitry is programmed to regulate energy expended by the mobile station in receiving the signals responsive to a desired level of energy consumption by the mobile station, and

wherein the control circuitry chooses a number of cells from which to receive the signals over the second air interface responsive to the desired level of energy consumption.

54. (Amended) A mobile station [according to claim 51,] for use in a mobile wireless telecommunications system that includes a first cell associated with a first air interface and a second cell associated with a second air interface, the mobile station, comprising:

(a) at least one radio transceiver, which receives signals from the first and second cells over the first and second air interfaces, respectively; and

(b) control circuitry that processes the signal received from the second cell while the mobile station is camped in idle mode on the first cell and that evaluates the second signal and, responsive thereto, directs the mobile station to reselect and camp on the second cell,

wherein the control circuitry is programmed to regulate energy expended by the mobile station in receiving the signals responsive to a desired level of energy consumption by the mobile station, and

wherein the control circuitry further regulates the availability of the transceiver to receive the signals responsive to a desired level of quality of service provided by the mobile station.

60. (Amended) A mobile station [according to claim 55,] in a mobile wireless telecommunications system, the system including a first cell associated with a first air interface and a second cell associated with a second air interface, the mobile station comprising:

(a) at least one radio transceiver that receives signals from the first and second cells over the first and second air interfaces, respectively; and

(b) control circuitry that processes the signal received from the second cell while the mobile station is camped in idle mode on the first cell and that

evaluates the second signal and, responsive thereto, directs the mobile station to reselect and camp on the second cell,

wherein the control circuitry compares the signals received by the transceiver over the first and second air interfaces and applies reselection criteria to the comparison so as to determine whether to select the second cell, and

wherein the control circuitry applies a predetermined hysteresis factor to the comparison so as to prevent recurrent reselection of the air interface.